



10-28-04

3731

Express Mail No. EV522680618US

Docket No.: 341148001US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dimmer et al.

Application No.: 09/815,393

Confirmation No.: 5450

Filed: March 22, 2001

Art Unit: 3731

For: SYSTEM AND METHOD FOR
BRACKETING AND REMOVING TISSUE

Examiner: J. R. Baxter

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
NOV 02 2004
TECHNOLOGY CENTER #0700

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each Non-U.S. Patent reference is enclosed.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this

Application No.: 09/815,393

Docket No.: 341148001US1

application by this firm) to our Deposit Account No. 50-0665, under Order No. 341148001US1.

Dated:

26 Oct 04

Respectfully submitted,

By 

Edward S. Hotchkiss

Registration No.: 33,904

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/815,393-Conf. #5450
				Filing Date	March 22, 2001
				First Named Inventor	Steven C. Dimmer
				Art Unit	3731
				Examiner Name	J. R. Baxter
Sheet	1	of	4	Attorney Docket Number	341148001US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-10/416,827	11-17-2000 (filed)	DAVID KRAG	
		US-10/745,097	12-23-2003 (filed)	STEVEN C. DIMMER	
		US-10/745,104	12-23-2003 (filed)	DAVID KRAG	
		US-10/746,888	12-24-2003 (filed)	MARGO GISSELBERG	
		US-10/791,662	03-02-2004 (filed)	DAVID KRAG	
		US-2002/0193685	12-19-2002	TIMOTHY MATE	
		US-2003/0052785	03-20-2003	MARGO GISSELBERG	
		US-2003/088178	05-08-2003	OWENS ET AL.	
		US-2003/0117269	06-26-2003	STEVEN C. DIMMER	
		US-2003/0117270	06-26-2003	STEVEN C. DIMMER	
		US-2003/0192557	10-16-2003	DAVID KRAG	
		US-2004/0074974	04-22-2004	FUJIO SENBA	
		US-2004/0127787	07-01-2004	STEVEN C. DIMMER	
		US-3,752,960	08-14-1973	WALTON	
		US-3,836,842	09-17-1974	ZIMMERMANN ET AL.	
		US-3,967,161	06-29-1976	LICHTBLAU	
		US-4,017,858	04-12-1977	KUIPERS	
		US-4,023,167	05-10-1977	WAHLSTROM	
		US-4,065,753	12-27-1977	PAUL, JR.	
		US-4,114,601	09-19-1978	ABELS	
		US-4,123,749	10-31-1978	HARTMANN ET AL.	
		US-4,127,110	11-28-1978	BULLARA	
		US-4,160,971	07-10-1979	JONES ET AL.	
		US-4,222,374	09-16-1980	EDWARD J. SAMPSON	
		US-4,260,990	04-07-1981	LICHTBLAU	
		US-4,618,978	10-21-1986	ERIC R. COSMAN	
		US-4,633,250	12-30-1986	PHILIP M. ANDERSON	
		US-4,642,786	02-10-1987	PER K. HANSEN	
		US-4,737,794	04-12-1988	HERBERT R. JONES	
		US-4,795,995	01-03-1989	LARRY ECCLESTON	
		US-4,849,692	07-18-1989	ERNEST B. BLOOD	
		US-4,945,305	07-31-1990	ERNEST B. BLOOD	
		US-4,992,794	02-12-1991	ARNOLDUS M. BROUWERS	
		US-5,095,224	03-10-1992	HERMAN L. RENGIER	
		US-5,099,845	03-31-1992	WILLIAM J. BESZ	
		US-5,107,862	04-28-1992	CARL E. FABIAN	
		US-5,142,292	08-25-1992	LUKE C. CHANG	
		US-5,188,368	02-23-1993	PAUL T. RYAN	
		US-5,197,466	03-30-1993	JOSE A. MARCHOSKY	
		US-5,205,289	04-27-1993	TYRONE L. HARDY	
		US-5,211,129	05-18-1993	VERN TAYLOR	
Examiner Signature					Date Considered

RECEIVED
NOV 02 2004
TECHNOLOGY CENTER R3786



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/815,393-Conf. #5450
				Filing Date	March 22, 2001
				First Named Inventor	Steven C. Dimmer
				Art Unit	3731
				Examiner Name	J. R. Baxter
Sheet	2	of	4	Attorney Docket Number	341148001US1

RECEIVED

NOV 2 2004

TECHNOLOGY CENTER R3700

	US-5,211,164	05-18-1993	GEORGE S. ALLEN	
	US-5,223,851	06-29-1993	LEONARD D. HADDEN	
	US-5,230,338	07-27-1993	GEORGE S. ALLEN	
	US-5,262,772	11-16-1993	DONALD J. URBAS	
	US-5,325,873	07-05-1994	RICHARD E. HIRSCHI	
	US-5,377,678	01-03-1995	CHARLES L. DUMOULIN	
	US-5,411,026	05-02-1995	MARK P. CAROL	
	US-5,425,367	06-20-1995	ALAN R. SHAPIRO	
	US-5,453,686	09-26-1995	PETER T. ANDERSON	
	US-5,528,651	06-18-1996	DAN LEKSELL	
	US-5,558,091	09-24-1996	DAVID E. ACKER	
	US-5,568,809	10-29-1996	SHLOMO BEN-HAIM	
	US-5,629,967	05-13-1997	DAN LEKSELL	
	US-5,645,065	07-08-1997	ALAN R. SHAPIRO	
	US-5,680,106	10-21-1997	ALEJANDRO G. SCHROTT	
	US-5,681,326	10-28-1997	INGEMAR LAX	
	US-5,697,384	12-16-1997	YUTAKA MIYAWAKI	
	US-5,727,552	03-17-1998	TERENCE G. RYAN	
	US-5,745,545	04-28-1998	JOHN H. HUGHES	
	US-5,764,052	06-09-1998	HERMAN L. RENGGER	
	US-5,769,861	06-23-1998	STEFAN VILSMEIER	
	US-5,805,661	09-08-1998	DAN LEKSELL	
	US-5,815,076	09-29-1998	RICHARD L. HERRING	
	US-5,820,553	10-13-1998	JOHN H. HUGHES	
	US-5,823,192	10-20-1998	ANDRE M. KALEND	
	US-5,840,148	11-24-1998	NEIL E. CAMPBELL	
	US-5,879,297	03-09-1999	DAVID R. HAYNOR	
	US-5,895,235	04-20-1999	FRANCOIS DROZ	
	US-5,913,820	06-22-1999	JOHN STUART BLADEN	
	US-5,963,132	10-05-1999	JAY YOAKUM	
	US-6,015,390	01-18-2000	DAVID N. KRAG	
	US-6,019,725	02-01-2000	IVAN VESELY	
	US-6,026,818	02-22-2000	WILLIAM BLAIR	
	US-6,049,587	04-11-2000	DAN LEKSELL	
	US-6,052,477	04-18-2000	MATTHEW Y. WANG	
	US-6,064,904	05-16-2000	JEFFREY H. YANOF	
	US-6,067,465	05-23-2000	THOMAS K.F. FOO	
	US-6,097,007	08-01-2000	YULIS WANG	
	US-6,097,994	08-01-2000	NASSIR NAVAB	
	US-6,130,612	10-10-2000	ANTHONY CASTELLANO	
	US-6,140,740	10-31-2000	YARIV PORAT	
	US-6,144,875	11-07-2000	ACHIM SCHWEIKARD	
	US-6,198,963	03-06-2001	SHLOMO BEN HAIM	
	US-6,239,724	05-29-2001	EYAL DORON	
	US-6,363,940	04-02-2002	DAVID N. KRAG	
	US-6,363,982	04-02-2002	ELMO NIXON JR.	
	US-6,371,379	04-16-2002	ANDREW NICHOLAS DAMES	
	US-6,385,482	05-07-2002	HANS BOKSBERGER	
	US-6,400,338	06-04-2002	EZEQUIEL MEJIA	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/815,393-Conf. #5450
				Filing Date	March 22, 2001
				First Named Inventor	Steven C. Dimmer
				Art Unit	3731
				Examiner Name	J. R. Baxter
Sheet	3	of	4	Attorney Docket Number	341148001US1

		US-6,401,722	06-11-2002	DAVID N. KRAG	
		US-6,518,884	02-11-2003	YOSHIHIKO TANJI	
		US-6,675,810	01-31-2002	DAVID KRAG	
		US-6,698,433	10-03-2002	DAVID KRAG	
		US-6,734,795	02-14-2002	WILLIAM PRICE	
		US-6,812,842	07-03-2003	STEVEN DIMMER	
		US-RE35,816	06-02-1998	WALDEAN A. SCHULZ	

RECEIVED

NOV 02 2004

TECHNOLOGY CENTER R3799

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO-88/08282	11-03-1988	Elekt Instrument AB		
		FR-26335259	02-16-1990	Marthan, Erick		
		WO-95/33519	12-14-1995	Elekt Instrument AB		
		WO-96/08999	03-28-1996	Lennernäs		
		EP-0719420	07-03-1996	University of Washington		
		WO-98/30166	07-16-1998	Fabian et al.		
		WO-99/27839	06-10-1999	Cosman		
		WO-99/35966	07-22-1999	Reiffel		
		WO-99/58065	11-18-1999	Krag		
		EP-1034738	09-13-2000	Biosense, Inc.		
		WO-01/34049	05-17-2001	Medtronic Surgical Navigation Technologies		
		WO-01/54765	08-02-2001	Zmed, Incorporated		
		WO-02/19908	03-14-2002	Accuray Incorporated		
		WO-02/100485	12-19-2002	Calypso Medical Technologies, Inc.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those patent(s) or publication(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(e)) because that application was filed after June 30, 2003. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report dated July 16, 1999, PCT Application No. PCT/US99/10683 – corresponding to the present application	
		International Search Report dated April 13, 2001, PCT Application No. PCT/US00/31673	
		International Search Report dated October 8, 2002, PCT Application No. PCT/US02/17876	
		PCT Written Opinion dated July 8, 2003, PCT Application No. PCT/US00/31667	
		HSIAO, K., "Fast Multi-Axis Tracking of Magnetically-Resonant Passive Tags: Methods and Applications," February 2001, Massachusetts Institute of Technology, Dept. of Electrical Engineering and Computer Science	
		International Search Report dated January 24, 2003, PCT Application No. PCT/US02/29390	
Examiner Signature		Date Considered	



Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/815,393-Conf. #5450
				Filing Date	March 22, 2001
				First Named Inventor	Steven C. Dimmer
				Art Unit	3731
				Examiner Name	J. R. Baxter
				Attorney Docket Number	341148001US1
Sheet	4	of	4		

		International Search Report dated July 3, 2001, PCT Application No. PCT/US00/31667	
		The World's Most Versatile Biopsy System Offered Only by USSC, ABBI* System Features, © 1997, United States Surgical Corporation, www.ussurg.com/health-care/procedures/abbi	
		KELLEY, William E., MD, Image-Guided Breast Biopsy: The ABBI* System, 1997, www.ussurg.com/health-care/procedures/abbi	

RECEIVED
NOV 02 2004

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--